

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF DELAWARE**

MICHAEL NINIVAGGI, JAKE MICKEY and
CAILIN NIGRELLI, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

UNIVERSITY OF DELAWARE,

Defendant.

Civil Action No. 20-cv-1478-SB

HANNAH RUSSO, individually and on be-
half of all others similarly situated,

Plaintiff,

v.

UNIVERSITY OF DELAWARE,

Defendant.

Civil Action No. 20-cv-1693-SB

PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

Plaintiffs Michael Ninivaggi, Jake Mickey, Cailin Nigrelli and Hannah Russo by and through their undersigned counsel, respectfully move this Court under Rule 23 of the Federal Rules of Civil Procedure for an Order certifying a class defined as: "All undergraduate students enrolled in classes at the University of Delaware during the Spring 2020 semester who paid tuition." Plaintiffs also move for this Court to appoint Plaintiffs as class representatives and their counsel as class counsel. The grounds for this Motion are set forth in the Plaintiffs' Opening Brief in Support of Motion for Class Certification which is being filed contemporaneously herewith, and which Plaintiffs incorporate hereby.

Pursuant to Local Rule 7.1.1, undersigned counsel has made a reasonable effort to reach

an agreement with the opposing party on the matters set forth herein, but have been unable to reach agreement.

Dated: July 1, 2022

Respectfully Submitted,

**CHIMICLES SCHWARTZ KRINER &
DONALDSON-SMITH LLP**

/s/ Robert J. Kriner, Jr.

Robert J. Kriner, Jr. (#2546)
Scott M. Tucker (#4925)
2711 Centerville Road, Suite 201
Wilmington, DE 19808
(302) 656-2500

BURSOR & FISHER, P.A.

Joshua D. Arisohn (admitted *pro hac vice*)
888 Seventh Avenue
New York, NY 10019
Telephone: (646) 837-7150
Facsimile: (212) 989-9163
Email: jarisohn@bursor.com

BURSOR & FISHER, P.A.

Sarah N. Westcot (admitted *pro hac vice*)
701 Brickell Avenue, Suite 1420
Miami, FL 33131
Tel: (305) 330-5512
Facsimile: (305) 676-9006
Email: swestcot@bursor.com

CROSS & SIMON, LLC

Christopher P. Simon (No. 3697)
Michael L. Vild (No. 3042)
1105 N. Market Street, Suite 901
P.O. Box 1380
Wilmington, Delaware 19801-1380
(302) 777-4200
csimon@crosslaw.com
mvild@crosslaw.com

ANASTOPOULO LAW FIRM, LLC

Eric M. Poulin (admitted *pro hac vice*)
Roy T. Willey, IV (admitted *pro hac vice*)
Blake G. Abbott (admitted *pro hac vice*)
32 Ann Street

Charleston, SC 29403
(843) 614-8888
eric@akimlawfirm.com
roy@akimlawfirm.com
blake@akimlawfirm.com

Attorneys for Plaintiffs